

PATRICK M. RYAN (SBN 203215)
pryan@bzbm.com
CHAD E. DEVEAUX (SBN 215482)
cdeveaux@bzbm.com
CHRISTOPHER W. GRIBBLE (SBN 285337)
cgribble@bzbm.com
TAYLOR YAMAHATA (SBN 347192)
tyamahata@bzbm.com
BARTKO ZANKEL BUNZEL & MILLER
A Professional Law Corporation
One Embarcadero Center, Suite 800
San Francisco, California 94111
Telephone: (415) 956-1900
Facsimile: (415) 956-1152

Attorneys for Defendants COUNTY OF SAN
MATEO and CHRISTINA CORPUS

CARA GAGLIANO (SBN 308639)
cara@eff.org
AARON MACKEY (SBN 286647)
ELECTRONIC FRONTIER FOUNDATION
815 Eddy Street
San Francisco, CA 94109
Tel.: (415) 436-9333

Additional Attorneys Below

Attorneys for Plaintiffs A.B.O. COMIX, KENNETH
ROBERTS, ZACHARY GREENBERG, RUBEN
GONZALEZ-MAGALLANES, DOMINGO AGUILAR,
KEVIN PRASAD, MALTI PRASAD, and WUMI OLADIPO

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

A.B.O. COMIX, KENNETH ROBERTS,
ZACHARY GREENBERG, RUBEN
GONZALEZ-MAGALLANES, DOMINGO
AGUILAR, KEVIN PRASAD, MALTI
PRASAD, and WUMI OLADIPO,

Plaintiffs,

v.

COUNTY OF SAN MATEO and
CHRISTINA CORPUS, in her official
capacity as Sheriff of San Mateo County,

Defendants.

Case No. 3:23-cv-1865-JSC

**STIPULATION AND [PROPOSED]
ORDER CONTINUING THE DATE OF
THE CASE MANAGEMENT
CONFERENCE AND SETTING
BRIEFING SCHEDULE**

1 Plaintiffs A.B.O. Comix, Kenneth Roberts, Zachary Greenberg, Ruben Gonzalez-
2 Magallanes, Domingo Aguilar, Kevin Prasad, Malti Prasad, and Wumi Oladipo (“Plaintiffs”), on
3 one hand, and Defendants County of San Mateo and Christina Corpus (“Defendants”), on the
4 other hand, by and through their counsel of record, hereby submit, subject to the condition that the
5 Court issue an Order approving the extended dates, the following stipulation.

6 WHEREAS, Plaintiffs moved to remand the case to state court (hereinafter “Plaintiffs’
7 Remand Motion”) and Defendants have opposed Plaintiffs’ Remand Motion and oral argument on
8 Plaintiffs’ Remand Motion is scheduled for June 29, 2023.

9 WHEREAS, Defendants intend to file motion(s) challenging Plaintiffs’ Amended
10 Complaint (hereinafter “Defendants’ Motion”) on June 23, 2023.

11 WHEREAS, the Case Management Conference is currently scheduled for July 20, 2023.

12 WHEREAS, the Parties would prefer to defer the Case Management Conference and the
13 attendant deadline to meet and confer regarding initial disclosures, ADR options, and a discovery
14 plan until after the Court rules on Plaintiffs’ Remand Motion and Defendants’ Motion.

15 WHEREAS, the Parties agree that the date of the Case Management Conference can be
16 moved to no sooner than 30 days after the Court rules on Plaintiffs’ Remand Motion or
17 Defendants’ Motion, whichever is later entered by the Court, and that the attendant ADR, initial
18 disclosure, and case management deadlines should be continued accordingly, as outlined in the
19 April 18, 2023 Order Setting Initial Case Management Conference and ADR Deadlines.

20 WHEREAS, the Parties agreed in their stipulation filed May 24, 2023 that they would
21 negotiate in good faith a reasonable briefing schedule related to challenges to the Amended
22 Complaint.

23 WHEREAS, the Parties wish to extend the time to prepare their briefs regarding
24 Defendants’ Motion such that Plaintiffs may file and serve their opposition to Defendants’ Motion
25 no later than Friday July 21, 2023 and Defendants’ deadline to file their reply in support of
26 Defendants’ Motion shall be no later than Friday August 4, 2023.

27 WHEREAS, the Parties agree that if Defendants’ Motion is filed no later than June 23,
28 2023, Defendants are not required to answer until no sooner than 30 days after the Court rules on

1 Plaintiffs' Remand Motion or Defendants' Motion, whichever is later entered by the Court (but
2 may do so sooner if they wish).

3 WHEREAS, this Stipulation is an enforceable agreement of the Parties prior to and
4 regardless of whether entered as an Order by the Court, except with respect to those things for
5 which a court order is required.

6 AND NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and
7 between the Plaintiffs and Defendants in the *A.B.O. Comix* case, by and through their counsel of
8 record, that:

9 (1) subject to the Court's permission, the date of the Case Management Conference shall
10 be moved to no less than 30 days after the Court rules on Plaintiffs' Remand Motion or
11 Defendants' Motion, whichever is later entered;

12 (2) the deadline to meet and confer re initial disclosures, early settlement, ADR process
13 selection, and a discovery plan, and the deadline to file ADR Certifications shall be continued to
14 21 days in advance of the Case Management Conference;

15 (3) the deadline to file a Rule 26(f) Report, complete initial disclosures or state objections,
16 and file a Case Management Statement shall be continued to 7 days in advance of the Case
17 Management Conference;

18 (4) the deadline for Plaintiffs to file and serve their opposition to Defendants' Motion shall
19 be no later than Friday July 21, 2023, and Defendants' deadline to file their reply in support of
20 Defendants' Motion shall be no later than Friday August 4, 2023; and

21 (5) if Defendants' Motion is filed no later than June 23, 2023, Defendants are not required
22 to answer until no sooner than 30 days after the Court rules on Plaintiffs' Remand Motion or
23 Defendants' Motion, whichever is later entered by the Court (but may do so sooner if they wish).

24 DATED: June 20, 2023

Respectfully submitted,

26 By: /s/ Chad E. DeVeaux

CHAD E. DEVEAUX

Attorneys for Defendants

COUNTY OF SAN MATEO and

CHRISTINA CORPUS

1 DATED: June 20, 2023

Respectfully submitted,

2
3 By: /s/ Cara Gagliano

CARA GAGLIANO

Attorneys for Plaintiffs

4 A.B.O COMIX, KENNETH ROBERTS,
5 ZACHARY GREENBERG, RUBEN
6 GONZALEZ-MAGALLANES, DOMINGO
7 AGUILAR, KEVIN PRASAD, MALTI
8 PRASAD, and WUMI OLADIPO
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

I hereby attest that Cara Gagliano has concurred in the filing of this document on her behalf and the inclusion of a conformed signature (/s/) within this e-filed document on her behalf.

/s/ Chad E. DeVaux
CHAD E. DEVEAUX

STEPHANIE KRENT (*Pro Hac Vice*)
stephanie.krent@knightcolumbia.org
ALEX ABDO (*Pro Hac Vice* motion
forthcoming)
KNIGHT FIRST AMENDMENT
INSTITUTE AT COLUMBIA UNIVERSITY
475 Riverside Drive, Suite 302
New York, NY 10115
Tel.: (646) 745-8500

MARIA DEL PILAR GONZALEZ
MORALES (SBN 308550)
pgonzalez@socialjusticelaw.org
SHUBHRA SHIVPURI (SBN 295543)
SOCIAL JUSTICE LEGAL FOUNDATION
523 West 6th Street, Suite 450
Los Angeles, CA 90014
Tel.: (213) 973-4063

Attorneys for Plaintiffs A.B.O. COMIX, KENNETH
ROBERTS, ZACHARY GREENBERG, RUBEN
GONZALEZ-MAGALLANES, DOMINGO AGUILAR,
KEVIN PRASAD, MALTI PRASAD, and WUMI OLADIPO

ORDER

AS STIPULATED, IT IS SO ORDERED.

Date: June __, 2022

The Honorable Jacqueline Scott Corley
United States District Judge